

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

NANOCO TECHNOLOGIES LTD.,))
))
Plaintiff,))
))
v.)	Civil Action No. 2:20-cv-00038-JRG
))
SAMSUNG ELECTRONICS CO., LTD., and)	JURY TRIAL DEMANDED
SAMSUNG ELECTRONICS AMERICA,))
INC.))
))
Defendants.))
))

**PATENT RULE 4-3 JOINT CLAIM CONSTRUCTION
AND PREHEARING STATEMENT**

Pursuant to Patent Rule 4-3 and the Court's October 13, 2020 Order setting a joint claim construction schedule and hearing in the above-captioned action (Dkt. 45), Plaintiff Nanoco Technologies Ltd. and Defendants Samsung Electronics Co., Ltd., and Samsung Electronics America, Inc. (collectively, the "parties") submit this Joint Claim Construction and Prehearing Statement concerning U.S. Patent Nos. 7,803,423 ("423 patent"), U.S. Patent No. 7,588,828 ("828 patent"), U.S. Patent No. 8,524,365 ("365 patent"), U.S. Patent No. 7,867,557 ("557 patent"), and U.S. Patent No. 9,680,068 ("068 patent").

I. Patent Rule 4-3(A)(1): Claim Terms On Which The Parties Agree

The parties agree to the following constructions of claim terms, phrases, or clauses:

Claim Term/Phrase	Construction
"provided on" '828 patent (claims 1, 3-5, 8-13)	This claim term should receive its plain and ordinary meaning.

'557 patent (all claims)	
"disposed on"	This claim term should receive its plain and ordinary meaning.
'365 patent (all claims)	
"depositing ... on"	This claim term should receive its plain and ordinary meaning.
'557 patent (all claims)	

II. Patent Rule 4-3(A)(2): Proposed Constructions On Disputed Terms

Nanoco and Defendants' proposed claim construction or indefiniteness position for each disputed claim term, phrase, or clause, together with an identification of all references from the specification or prosecution history that support that position, and an identification of any extrinsic evidence known to the party on which it intends to rely either to support its position or to oppose any other party's position, including, but not limited to, as permitted by law, dictionary definitions, citations to learned treatises and prior art, and testimony of percipient and expert witnesses, is provided in Appendix A.

III. Patent Rule 4-3(A)(3): Anticipated Length Of Claim Construction Hearing

The parties anticipate that the claim construction hearing take approximately 3 hours.

IV. Patent Rule 4-3(A)(4): Live Witnesses At The Claim Construction Hearing

The parties do not anticipate calling any live witnesses at the claim construction hearing.

V. Patent Rule 4-3(A)(5): Prehearing Conference

The parties have not identified any other issues which might appropriately be taken up at a prehearing conference prior to the claim construction hearing.

Dated: January 7, 2021

Respectfully Submitted,

/s/ Michael Newman by permission Claire Henry

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CERTIFICATE OF SERVICE

I certify that on January 7, 2020, I caused a true and correct copy of the foregoing to be served *via* ECF on all counsel of record.

/s/ Claire Abernathy Henry
Claire Henry